



United States
Department of
Agriculture

Food and
Consumer
Service

Mountain
Plains
Region

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AUG 01 1996

Reply to
Attn. of: SP 96-18

Subject: School Meals Initiative (SMI) Policy Guidance - Questions and Answers

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas, Missouri ED,
(Child Nutrition Programs) Montana OPI, Nebraska ED, North Dakota,
South Dakota, Utah, Wyoming ED

This memorandum provides policy guidance on a variety of SMI related issues which have been raised by State Agencies in the last few months in the Mountain Plains Region. The attached guidance is in a question-and-answer format.

Also attached is a copy of the pamphlet, "The School Meal Initiative for Healthy Children -- Frequently Asked Questions," which was distributed by the National Office.

Please contact the Special Projects Section if you have questions.

Ann C. DeGroat

ANN C. DEGROAT
Regional Director
Child Nutrition Programs

Attachments

NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM
SCHOOL MEALS INITIATIVE QUESTIONS AND ANSWERS (7/96)

1. Q. What menu planning options may School Food Authorities (SFAs) select to plan school meals in School Year (SY) 1996-97?
A. SFAs may implement one or more of the following menu planning systems in SY 1996-97, unless an implementation waiver has been granted by the SA. Nutrient Standard Menu Planning (NuMenus), Assisted NuMenus, Food Based Menu Planning (FBMP), or the traditional meal pattern in effect for SY 1994-95. The any reasonable approach has yet to be defined and will be addressed through the rule making process.
2. Q. What is the difference between FBMP and the traditional meal pattern?
A. Both are component based menu planning systems that require minimum quantities of components/food items. However, the required minimum quantities differ. The FBMP system has been enhanced to include increased portion sizes in fruits/vegetables and breads/grains.
3. Q. Can schools decrease the amount of protein served in a day or over a week under FBMP, the traditional meal pattern, or any reasonable approach?
A. Minimum quantities for meat/meat alternate for FBMP are outlined under Section 210.10(k)(2) for the NSLP and Section 220.8(g)(2) for the SBP. Minimum quantities for meat/meat alternate for the traditional meal pattern are specified under Section 210.10a(c) for the NSLP and Section 220.8a(a)(2) for the SBP. School meals planned using either FBMP or the traditional meal pattern must contain the lunch and breakfast minimum quantities for each food item/component including the meat/meat alternate component.

A proposed rule is pending on the "any reasonable approach" as authorized by Public Law 104-149. Until a final regulation is published, we are not able to address what will be allowed using this approach to plan menus.
4. Q. Can desserts be credited as a part of a serving of grains/breads with the traditional meal pattern?
A. No; a grain-based dessert may only be credited under FBMP. FCS Instruction 783-1, Rev. 1, dated March 22, 1996, specifies grain-based desserts may count toward the grains/breads only in the NSLP using the FBMP. Crediting issues do not apply to NuMenus or Assisted NuMenus.
5. Q. Can a school food authority choose not to serve milk (as part of the new flexibility)?
A. No; regardless of the menu planning alternative chosen for lunch and breakfast, schools shall offer students fluid milk. In the NSLP, the selection of the types of milk offered shall be consistent with the types of milk consumed in the prior year.

6. Q. Can a SFA choose to offer just one serving of vegetable or fruit at lunch?
- A. NuMenus or Assisted NuMenus requires that a minimum of three menu items be offered. The entree, milk and other. The SFA determines the type and quantity of other menu item(s) to be offered.
- Under FBMP or the traditional meal pattern, 2 or more servings of vegetables or fruits or both are required to meet the minimum serving sizes as specified for the appropriate grade/level under FBMP or the traditional meal pattern.
7. Q. Why do rice krispy treats qualify as a creditable food item as specified under FCS-Instruction 783-1, Grains/Breads Requirement, since this item has marshmallows, a food of minimal nutritional value (FMNV), included as an ingredient?
- A. Current program regulatory provisions which prohibit FMNV still apply under FBMP and the traditional meal pattern. However, because a grain-based dessert is now allowed under FBMP, rice krispy treats may be credited as a dessert item. Whole-grain, enriched or fortified cereals or bread products which are used as an ingredient in another menu item, such as rice krispy treats, qualify under the grains/breads component. Note: All ingredients; i.e. marshmallows in the rice krispy treats, are to be included when a nutrient analysis is performed by the SFA or the SA.
8. Q. Can a school plan lunch menus for all students in grades 5-8 by following the minimum calorie and nutrient levels for grades 7-12 under NuMenus?
- A. No; Section 210.10(i)((1)(ii) states that if only one age or grade level, is outside the established levels, schools may use the levels for the majority of children. In this example, grades 5-8, would be two grade levels outside of the established level for grades 7-12. Other options this school may wish to follow include: 1) Using two grade levels to meet minimum calorie and nutrient levels, K-6 for students in grades 5-6; and 7-12 for students in grades 7-8; or 2) customize calorie and nutrient levels for children in grades 5-8 using approved nutrient analysis software.
9. Q. Milk choices are offered as a separate menu item under NuMenus/Assisted NuMenus. In the other menu item category there are multiple choices that may be offered to students, including an assortment of juices. Students may select both beverages, milk and juice. How will this affect the nutrient analysis?
- A. It should not have an impact. All menu items should be entered and weighted accordingly, unless the SFA has a weighting waiver. The nutrient analysis software will calculate the value of nutrients based on the percentage of value or nutrients each food item contributes to the meal.

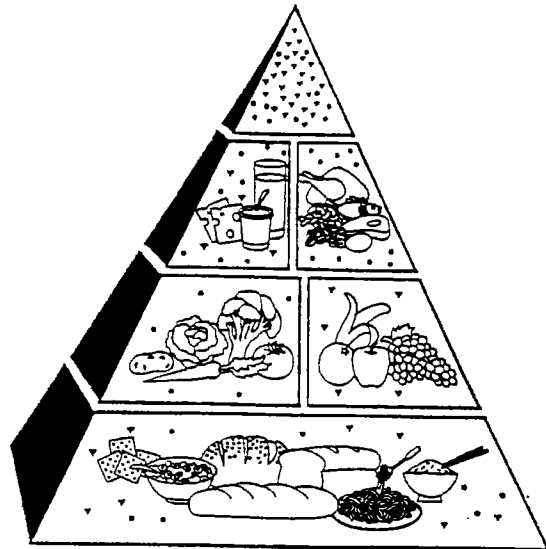
10. Q. Can a salad bar be listed as a menu item (side dish) or does it need to be classified as an entree?
- A. The school determines if the salad bar is to be listed as an entree, a side dish, or if it will be offered as both. As a reminder, please note that salad bar ingredients should be entered as a recipe for purposes of performing a nutrient analysis.
11. Q. Under NuMenus, can schools or residential child care institutions choose to offer smaller portions to students with disabilities?
- A. Students with disabilities shall be offered the same quantities as established by the school or RCCI to meet minimum calorie and nutrient levels unless a special diet has been prescribed by a physician for a child with a disability, or by a licensed medical authority for a child who does not have a disability, but is medically certified as having a special medical or dietary need.
12. Q. Do cycle menus that have been developed using NuMenus have to be adjusted for school weeks that have less than 5 days?
- A. Yes. The school should determine which menus will be offered and adjust their nutrient analysis accordingly.
13. Q. Are isolated soy protein and other soy products included in the Child Nutrition Nutrient Data Base?
- A. Yes; isolated soy protein is listed under 51145, textured vegetable protein is listed under 51144, and soy protein is listed under 51142 and 51143.

The School Meal Initiative for Healthy Children

Frequently Asked Questions

July 1996

The Department undertook the School Meals Initiative for Healthy Children because of the need to update the nutrition standards for the school meal programs to reflect modern scientific knowledge about the relationship between diet and health. In particular, it was important for school meals to come into compliance with the recommendations of the *Dietary Guidelines for Americans*, especially those concerned with the levels of fat and saturated fat in the diet of Americans. In June 1994 and January 1995, the Department published proposed rules to establish specific nutrition standards and to provide local food service planners with three menu planning options: NuMenus, Assisted NuMenus and an enhanced food based system. In June 1995, these regulations were finalized. Public Law 104-149 was enacted on May 29, 1996. This law, which the Department is in the process of implementing, authorizes the old meal pattern as a fourth option and also authorizes the approval of other reasonable approaches provided they comply with guidelines established by the Department. A policy memorandum permitting the use of the old meal pattern has already been issued to States.



The following questions about the regulations and new legislation are frequently asked.

1. **What does the Department mean by “implementation” of the School Meal Initiative for Healthy Children?**

Implementation means that schools are planning and preparing meals using one of the approved meal planning systems and are actively moving toward compliance with the nutrition standards.

2. **Does the Healthy Meals for Children Act recently passed by Congress change the nutrition standards for the school meals programs?**

The new legislation makes no change to the nutrition standards for school meals.

3. **How many menu planning options can schools choose from?**

The new law identifies four basic alternatives: NuMenus, Assisted NuMenus, the food-based system established in our final regulation in June 1995 and the meal pattern in effect during the 1994/1995 school year. In addition, the law allows other reasonable approaches to be approved if they meet guidelines established by the Department. The Department is in the process of developing those guidelines, and they will be available for review and comment in the near future.

4. **What would the Department consider to be a "reasonable approach" to meal planning other than the four current methods?**

A "reasonable approach" would be a departure from the systems that are specifically authorized but would still enable the food service to

comply with all statutory and regulatory requirements, including the nutrition standards. While specific guidelines for approval have not yet been established, the Department believes that, at a minimum, an alternative meal planning system must ensure that children receive meals that comply with the nutrition standards and that reimbursable meals can be identified and counted at the point of service.

5. **Why are there now two meal patterns?**

The Department considers that the food-based system established last summer provides meal planners with a blueprint that enhances their ability to comply with the nutrition standards. However, to provide meal planners with as much flexibility as possible, the use of the old meal pattern continues to be authorized. It must be noted, however, that the old meal pattern does not provide the additional lowfat calories from fruits, vegetables and grains supplied by the newer pattern. Therefore, much more careful menu planning, recipe modification and adjustments to food preparation procedures will be required to meet the limits on fat and saturated fat while still maintaining adequate calorie levels.

6. **Why do the regulations still provide for nutrient analysis?**

While there is no requirement for local schools to conduct nutrient analysis, this method provides local schools with a highly effective tool for measuring their own compliance with the nutrition standards and gives State agencies the ability to accurately gauge compliance by schools using food based systems. It should be noted that State agencies may, if they wish, develop alternate methods for monitoring meal services if they provide an accurate measuring tool and are approved by USDA.

7. **Why must schools use only approved software for nutrient analysis?**

The regulations require the use of approved software to ensure that the analysis is consistent and accurate and that the software performs all of the functions necessary to conduct nutrient analysis. It should be noted, however, that local schools and States have great flexibility in choosing software that meets their

needs. Currently, six different packages have been approved, and ten comprehensive food service software packages have incorporated approved nutrient analysis software.

8. **Why does the Department maintain that implementation of the School Meal Initiative won't increase costs, especially for small schools?**

The Department's analysis of costs, which was published with the two proposed regulations, showed that costs need not increase under the new food based system because of the variety of low cost items, particularly grain items available. With respect to NuMenus, schools which do not already have computers would experience some start-up costs to obtain equipment and software. However, any ongoing costs would be modest, and if the food service uses computers for other applications, the equipment can actually pay for itself over time. Moreover, because NuMenus provides meal planners with great flexibility in deciding components and quantities, meal planners using this method can actually experience meaningful decreases in meal costs.

<p>9. What is the Department doing to allow schools to use lowfat products such as yogurt and soy?</p> <p>Yogurt and soy products are already allowed for schools using NuMenus and Assisted NuMenus. A proposed rule to credit yogurt for food-based systems was recently published, and a similar regulation dealing with soy products, including tofu, is currently in clearance within the Department.</p> <p>10. Does the Department still emphasize corrective action over sanctions?</p> <p>The Department has always regarded compliance with the nutrition standards as an incremental process</p>	<p>requiring substantial training and technical assistance. The regulations make it clear that fiscal sanctions are not required unless the State agency judges that the school is not making a good faith effort to achieve compliance. The Department has no intention of departing from this cooperative approach. We are working with States to provide training, and we are developing technical assistance materials. Schools should not, therefore, be concerned that their Federal funding will be jeopardized as long as they are making adjustments to meet the nutrition standards and are complying with the regulations.</p>
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The National School Lunch and School Breakfast Programs are equal opportunity programs. If you believe you or anyone has been discriminated against because of race, color, national origin, sex, age, or disability, write immediately to: Administrator, Food and Consumer Service, 3101 Park Center Drive, Alexandria, VA 22302.